REMARKS

Claims 1-34, 37-68, 71-73, 76-130, 132, 134, 136 and 138 remain pending in connection with the present application.

CONSIDERATION AGAIN REQUESTED FOR INFORMATION DISCLOSURE STATEMENT

Applicants again note that the Examiner has still failed to indicate his consideration of the documents cited in the Information Disclosure of October 5, 2007. While it is presumed that the documents cited in the Information Disclosure of October 5, 2007 have been considered, Applicants respectfully request the Examiner to confirm consideration of each of the **documents cited in the Information Disclosure Statement of October 5, 2007** by **initialing and returning the PTO-1449 form submitted therewith.** For the Examiner's convenience, Applicants again resubmit copies of the Information Disclosure Statement of October 5, 2007, the PTO-1449 form submitted therewith, and copies of the references submitted therewith.

TELEPHONE INTERVIEW OF JANUARY 5, 2010

Applicants wish to thank Examiner Ma for the telephone interview conducted on January 5, 2010. In the interview, agreement was reached between Examiner Ma and Applicants' representative (as indicated on the Examiner Interview Summary record dated January 15, 2010) that the presently pending claims were allowable over the prior art reference combination set forth by the Examiner regarding U.S. Patent 6,480, 258 to Tsuji (the Tsuji '258 Patent) in view of U.S. Patent No. 7,095,390 to Otobe (the Otobe '390 Patent). A summary of the content of the telephone interview conducted on January 5, 2010 is as follows.

Initially, Applicants' representative noted that in the previous Amendment of June 17, 2009, regarding representative claim 1 for example, the claim was amended to clarify distinctions over the Tsuji '258 Patent. Specifically, Applicants' representative noted that the claims were amended to clarify that in the color display device of claim 1, a **calculation was carried out based on a relationship for each of a plurality of color components** excluding a component with a relatively smallest gradation level, noting that the gradation level of the color component with the **relatively smallest gradation level remains unchanged before and after calculation**. Applicants' representative noted that, in view of this Amendment, the Examiner had withdrawn his rejection under 35 U.S.C. §102 over the Tsuji '258 Patent, and had subsequently alleged that the teachings of the Otobe '390 Patent made up for this acknowledged deficiency of the Tsuji '258 Patent. In the telephone interview, Applicants' representative explained why it would not be obvious to combine the teachings of the Otobe '390 Patent with those of the Tsuji '258 Patent, and further explained that, even assuming *arguendo* that the reference combination could be made, the Otobe '390 Patent would still fail to make up for at least the aforementioned deficiency. The Examiner eventually agreed.

With regard to the Otobe '390 Patent, Applicants' representative explained that the display device of the Otobe '390 Patent had nothing to do with carrying out a calculation based on a relationship for each of a plurality of color components, let alone carrying out such a calculation wherein the gradation level of the color component with the relatively smallest gradation level remains unchanged before and after calculation. Applicants' representative explained that the Otobe '390 Patent dealt with objects having gradation changes on a screen and the way human eyes, viewing the moving objects as they appear on the screen, perceives the

display screen. The Otobe '390 Patent discusses a display driving method which drives a display to create a certain gradation on the screen to effectively prevent flicker.

As explained in the telephone interview, the Otobe '390 Patent, in the sections referenced by the Examiner, is referring to the fact that upper 3 bits of the 8 bit 256 gradation level display are used unchanged as the display data, and the lower 5 bits, which are ignored are used unchanged as error data. Applicants' representative explained that although certain bits of data may be used and other bits may be unused, this has nothing to do with calculations based on relationships of color components, let alone ones wherein a gradation level of a color component with relatively smallest gradation level remains unchanged before and after calculation. Applicants' representative explained that the Otobe '390 Patent may maintain some bits as unchanged, but it relates to a gradation scale for display to reduce flicker and degeneration of contours, and is not at all related to calculations based on relationships of color components. Applicants' representative explained that excluding a color from a calculation, as set forth in claim 1 for example, is not the same as excluding bits for gradation quality, which is what is taking place in the Otobe '390 Patent.

At the end of the interview, the Examiner indicated that he agreed with Applicants' representative, and acknowledged that even if the Otobe '390 Patent could be combined with that the of Tsuji '258 Patent (which was not admitted by Applicants' representative), the Otobe '390 Patent would still fail to make up for at least the previously mentioned deficiencies of the Tsuji '258 Patent. At that time, the interview was concluded and it was indicated that Applicants' representative would submit a response and that the Examiner would withdraw the rejection.

PRIOR ART REJECTIONS

The Examiner rejected claims 1-3, 33-38, 63-67, 69-72, and 74-76 under 35 U.S.C. §103 as being unpatentable over the Tsuji '258 Patent in view of the Otobe '390 Patent. This rejection is respectfully traversed.

For the reasons previously set forth above, the alleged combination of prior art references is not proper and further, even assuming *arguendo* that the references could be combined, the alleged combination still fails to teach or suggest the limitations of claim 1 as previously indicated above. With regard to the remaining independent claims, these claims are allowable over the prior art of record for at least reasons somewhat similar to those previously set forth regarding independent claim 1, noting that each claim should be interpreted solely based upon the limitations present therein. Accordingly, withdrawal of the Examiner's rejection is respectfully requested.

The Examiner further rejected claims 68 and 73 under 35 U.S.C. § 103 as being unpatentable over the Tsuji '258 Patent in view of the Otobe '390 Patent and further in view of Yamashita, U.S. Patent Number 6,101,271 (the Yamashita '271 Patent). This rejection is respectfully traversed.

Applicants respectfully submit that even assuming *arguendo* that the Yamashita '271 Patent could be combined with one or both of the Tsuji '258 and Otobe '390 Patents, which is not admitted, the teachings of the Yamashita '271 Patent fail to make up for at least the previously mentioned deficiencies of the independent claims upon which claims 68 and 73 depend. Accordingly, withdrawal of the rejection is respectfully requested.

The Examiner further rejected claims 131 to 138 under 35 U.S.C. § 103 as being unpatentable over the Tsuji '258 and Otobe '390 Patents, and further in view of Smith, U.S. Patent Publication Number 2004/0105105 (the Smith '105 Publication). This rejection is respectfully traversed.

Applicants respectfully submit that even assuming *arguendo* that the Smith '105 Publication could be combined with one or both of the Tsuji '258 and Otobe '390 Patents, which is not admitted, the teachings of the Smith '105 Publication fail to make up for at least the previously mentioned deficiencies of the independent claims upon which claims 131 - 138 depend. Accordingly, withdrawal of the rejection is respectfully requested.

ENTRY OF REPLY AFTER FINAL IS PROPER

Applicants respectfully request the Examiner to enter this reply under 37 C.F.R. § 1.116 in that it raises no new issues which require further consideration and/or search. The claims have not been amended in the present Reply.

REJOINDER OF REJECTED DEPENDENT CLAIMS REQUESTED

Applicants respectfully submit that each of independent claims 1, 2, 33, 34, 37, 38, 63, 65, 66, and 72 is in condition for allowance. Accordingly, **Applicants respectfully request rejoinder of all claims dependent upon the allowable independent claims**, as each of these claims include all of the limitations of the independent claims, which essentially acts as a linking claim or allowable generic claim.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the pending claims in connection with the present application is earnestly solicited.

In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully Submitted,

HARNESS, DICKEY & PIERCE, PLC

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